

Appl. No. 10/697,910
Examiner: HEWITT, JAMES M, Art Unit 3679
In response to the Office Action dated December 2, 2005

Date: March 2, 2006
Attorney Docket No. 10111392

REMARKS

Responsive to the Office Action mailed on December 2, 2005 in the above-referenced application, Applicant respectfully requests amendment of the above-identified application in the manner identified above and that the patent be granted in view of the arguments presented. No new matter has been added by this amendment.

Present Status of Application

Claims 1, 3 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,707,027 to Horvath et al (hereinafter "Horvath"). Claims 5, 7-9, 11-12 and 18-21 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Horvath. Claims 6, 10 and 13-16 and 22-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In this paper, claims 1 and 5 are amended to recite, *inter alia*, a first non-electrically controlled valve, an air pump for inflating the first chamber through the first non-electrically controlled valve, and a first switch for activating the air pump and opening the first non-electrically controlled valve. Claims 3 and 9 are amended to recite, *inter alia*, a second non-electrically controlled valve through which the air pump inflates the second chamber, and a third switch to activate the air pump and open the second non-electrically controlled valve. Claims 18-19 are amended to recite the first pack body is built in the first chamber. New claims 24-26 are added. Support for the amendments and new claims can be found on page 12 and in the corresponding figures of the application. More particularly, in the description, the first and second valves are controlled in purely mechanical way. Thus, the amendment (non-electrically controlled valves) has sufficient basis in the original disclosure. On entry of this amendment, claims 1-26 remain in the application.

Reconsideration of this application is respectfully requested in light of the amendments and the remarks contained below.

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Allowable Subject Matter

Applicant thanks the Examiner for his indication in the Office Action that claims 6, 10 and 13-16 and 22-23 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Rejections Under 35 U.S.C. 102(b) and 103(a)

Claims 1, 3 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Horvath. Claims 5, 7-9, 11-12 and 18-21 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Horvath et al. Applicant respectfully traverses the rejections for the reasons as follow.

To anticipate a claim, a reference must teach every element of the claim. In this regard, the Federal Circuit has held "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Similarly, to establish a prima facie case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

In this paper, claims 1 and 5 are amended to recite a first non-electrically controlled valve. Claims 3 and 9 are amended to recite a second non-electrically controlled valve.

In contrast, the valves 16 and 18 of Horvath relied upon by the Examiner in the rejections are electrically controlled by switches 22 and 24, respectively. Applicant therefore submits that Horvath fails to teach or suggest at least the limitations recited in claims 1 and 5 of a first non-electrically controlled valve, an air pump for inflating the first chamber through the first non-electrically controlled valve, and a first switch for activating the air pump and opening the first non-electrically controlled valve. Applicant further submits that Horvath fails to teach or suggest at least the limitations recited in claims 3 and 9 of a second non-electrically controlled valve

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through which the air pump inflates the second chamber, and a third switch to activate the air pump and open the second non-electrically controlled valve.

For at least the reasons described above, it is Applicant's belief that Horvath fails to teach or suggest all the limitations of claims 1, 3, 5, and 9. Applicant therefore respectfully requests that the rejection of claims 1, 3, 5, and 9 be withdrawn and the claims passed to issue. Insofar as claims 2, 4, 6-8 and 10-23 depend from claims 1, 3, 5, and 9 either directly or indirectly, and therefore incorporate all of the limitations of claims 1, 3, 5, and 9, it is Applicant's belief that these claims are also in condition for allowance.

Furthermore, amended claims 18 and 19 recite that the first pack body is ***built in the first chamber***. Applicant submits that this limitation is not found in Horvath, or in other references of record in this application, such as US 5,249,319 to Higgs, US 5,068,933 to Sexton or US 5,794,289 to Wortman.

New Claims 24-26

New claim 24 recites an inflatable product, including:

- a first chamber;
- a first pack body;
- a first valve disposed in the first pack body;
- an air pump for inflating the first chamber through the first valve;
- a first switch, disposed on the first pack body, for activating the air pump and mechanically opening the first valve;*** and
- a switch circuit through which the air pump is activated by the first switch, wherein the switch circuit has a second switch turned on by the first switch when the first switch is turned on,
- wherein the first pack body is ***built in the first chamber***.

Applicant submits that the "first switch for mechanically opening the first valve and activating the first pump" recited in claim 24 distinguishes over the electronic switch disclosed by Horvath.

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Applicant further submits that the limitation "the first pack body is built in the first chamber" recited in claim 24 is also not found in the cited references.

Claims 25-26 are believed to be allowable by virtue of their dependency from claim 1. Furthermore, new claim 25 recites that the first switch of claim 1 is mechanically connected to the first non-electrically controlled valve, such that motion of the first switch opens the first non-electrically controlled valve by physical force transmitted through the mechanical connection. Claim 26 recites that the motion of the first switch to open the first non-electrically controlled valve turns on the second switch. These features are not taught or suggested by the cited references.

Conclusion

The Applicant believes that the application is now in condition for allowance and respectfully requests so.

Respectfully submitted,



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